

**BILL HISTORY FOR ASSEMBLY BILL 942 (LRB -4847 )**

An Act to affect 1999 Wisconsin Act ... (Assembly Bill 456), section 4 (1); relating to: providing a supplement for hourly medical assistance reimbursement rates for in-home personal care services workers, individual income tax modifications for medical insurance premiums and making an appropriation. (FE)

2000

03-28. A. Introduced by Representative Gard.	
03-28. A. Read first time and referred to committee on Rules .....	843
03-28. A. Placed on calendar 3-29-2000 by committee on Rules.	
03-29. A. Read a second time .....	880
03-29. A. Point of order that bill not properly before the Assembly under Assembly Rule 35 .....	880
03-29. A. Point of order withdrawn .....	881
03-29. A. Assembly amendment 1 offered by Representatives Meyer and Krusick (LRB a2194) .....	882
03-29. A. Assembly amendment 1 laid on table, Ayes 53, Noes 43 .....	882
03-29. A. Representative Pettis added as a coauthor .....	882
03-29. A. Representative Seratti added as a coauthor .....	882
03-29. A. Assembly amendment 2 offered by Representatives Meyer and Krusick (LRB a2168) .....	882
03-29. A. Representative Sykora added as a coauthor .....	882
03-29. A. Assembly amendment 2 laid on table, Ayes 53, Noes 43 .....	882
03-29. A. Ordered to a third reading .....	882
03-29. A. Rules suspended .....	882
03-29. A. Read a third time and passed, Ayes 61, Noes 35 .....	882
03-29. A. Representative Petrowski added as a coauthor .....	883
03-29. A. Representative Suder added as a coauthor .....	883
03-29. A. Ordered immediately messaged .....	883
03-30. S. Received from Assembly .....	566
03-30. S. Read first time and referred to committee on Health, Utilities, Veterans and Military Affairs ..	568
03-30. S. LRB correction .....	577
03-30. S. Senator Drzewiecki added as a cosponsor .....	570
03-30. S. Senator Roessler added as a cosponsor .....	571
03-30. S. Senator Darling added as a cosponsor .....	571
03-30. S. Rules suspended and taken up .....	573
03-30. S. Read a second time .....	573
03-30. S. Senate substitute amendment 1 offered by Senators Moen, Moore, Rude, Schultz, Jauch, Roessler, Clausing and Darling (LRB s0524) .....	573
03-30. S. Senators Rude and Schultz added as cosponsors .....	573
03-30. S. Senate substitute amendment 1 adopted .....	573
03-30. S. Ordered to a third reading .....	573
03-30. S. Rules suspended .....	573
03-30. S. Read a third time and concurred in as amended, Ayes 33, Noes 0 .....	573
03-30. S. Ordered immediately messaged .....	575
04-25. A. Received from Senate amended and concurred in as amended (Senate substitute amendment 1 adopted) .....	929
04-25. A. Referred to committee on Rules .....	929
04-25. A. Placed on calendar 5-2-2000 by committee on Rules.	
04-25. A. Fiscal estimate received.	

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04-25. A. Fiscal estimate received.

05-02. A. Senate substitute amendment 1 concurred in, Ayes 99, Noes 0.

05-02. A. Action ordered immediately messaged.

**1999  
ENROLLED BILL**

99en A B-942

**ADOPTED DOCUMENTS:**

Orig     Engr

S SubAmdt 1

99 505241 1

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic

Personal care services  
and workers

5/2/00

Date

Pete / Dyer

Enrolling Drafter

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**SENATE SUBSTITUTE AMENDMENT 1,  
TO 1999 ASSEMBLY BILL 942**

March 30, 2000 - Offered by Senators MOEN, MOORE, RUDE, SCHULTZ, JAUCH,  
ROESSLER, CLAUSING and DARLING.

1     **AN ACT** *to renumber and amend* 49.45 (6t); *to create* 49.45 (6t) (b) and 49.45  
2           (24p) of the statutes; and *to affect* 1999 Wisconsin Act .... (Assembly Bill 456),  
3           section 4 (1); **relating to:** designating personal care shortage areas,  
4           reimbursement for losses in the provision of personal care services, providing  
5           a supplement for hourly medical assistance reimbursement rates for in-home  
6           personal care services workers, individual income tax modifications for medical  
7           insurance premiums, providing an exemption from emergency rule procedures,  
8           requiring the exercise of rule-making authority and making appropriations.

***The people of the state of Wisconsin, represented in senate and assembly, do  
enact as follows:***

9           **SECTION 1.** 49.45 (6t) of the statutes, as affected by 1999 Wisconsin Act 9, is  
10          renumbered 49.45 (6t) (a), and 49.45 (6t) (a) 2. (intro.), 3. and 4., as renumbered, are  
11          amended to read:

1           49.45 (6t) (a) 2. (intro.) Based on the amount estimated to be available under  
2 ~~par. (a) subd. 1.~~, develop a method, which need not be promulgated as rules under  
3 ch. 227, to distribute this allocation to the individual county departments under s.  
4 46.215, 46.22, 46.23 or 51.42 or to local health departments that have incurred  
5 operating deficits that shall include all of the following:

6           3. Except as provided in ~~par. (d) subd. 4.~~, distribute the allocation under the  
7 distribution method that is developed.

8           4. If the federal department of health and human services approves for state  
9 expenditure in a fiscal year amounts under s. 20.435 (4) (o) that result in a lesser  
10 allocation amount than that allocated under this subsection or disallows use of the  
11 allocation of federal medicaid funds under ~~par. (e) subd. 3.~~, reduce allocations under  
12 this subsection and distribute on a prorated basis, as determined by the department.

13           **SECTION 2.** 49.45 (6t) (b) of the statutes is created to read:

14           49.45 (6t) (b) From the appropriation under s. 20.435 (4) (b), the department  
15 shall annually distribute moneys for reduction of operating deficits, as determined  
16 under criteria developed under par. (a) 2. a., incurred by a county department under  
17 s. 46.215, 46.22, 46.23 or 51.42 or by a local health department, as defined in s. 250.01  
18 (4), for services provided under s. 49.46 (2) (b) 6. j. The department shall distribute  
19 the moneys specified in this paragraph as a supplement of 15% to each distribution  
20 made under the method specified under par. (a) 2., for services provided under s.  
21 49.46 (2) (b) 6. j. after December 31, 1999.

22           **SECTION 3.** 49.45 (24p) of the statutes is created to read:

23           49.45 (24p) **PERSONAL CARE SHORTAGE AREAS.** (a) The department shall  
24 designate as a personal care shortage area any area that meets criteria that the  
25 department specifies by rule. From the appropriation under s. 20.435 (4) (b), the

1 department shall reimburse providers of personal care services under s. 49.46 (2) (b)  
2 6. j. in personal care shortage areas at 125% of the reimbursement for the provision  
3 of personal care services in areas of the state that are not designated as personal care  
4 shortage areas.

5 (b) The department shall by rule specify criteria for the designation of an area  
6 as a personal care shortage area, including a criterion concerning the maximum  
7 number of personal care workers per area population.

8 (c) If an area designated as a personal care shortage area under par. (a) no  
9 longer meets criteria specified under par. (b), the department shall dissolve the  
10 designation.

11 **SECTION 4.** 1999 Wisconsin Act .... (Assembly Bill 456), section 4 (1) is amended  
12 to read:

13 [1999 Wisconsin Act .... (Assembly Bill 456)] Section 4 (1) This act first applies  
14 to taxable years beginning on January 1, ~~2000~~ 2001.

15 **SECTION 5. Nonstatutory provisions.**

16 (1) PERSONAL CARE SHORTAGE AREAS; RULES.

17 (a) The department of health and family services shall submit in proposed form  
18 the rules required under section 49.45 (24p) (b) of the statutes, as created by this act,  
19 to the legislative council staff under section 227.15 (1) of the statutes no later than  
20 the first day of the 4th month beginning after the effective date of this paragraph.

21 (b) Using the procedure under section 227.24 of the statutes, the department  
22 of health and family services may promulgate rules required under section 49.45  
23 (24p) (b) of the statutes, as created by this act, for the period before the effective date  
24 of the rules submitted under paragraph (a), but not to exceed the period authorized  
25 under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24

1 (1) (a), (2) (b) and (3) of the statutes, the department is not required to provide  
2 evidence that promulgating a rule under this paragraph as an emergency rule is  
3 necessary for the preservation of the public peace, health, safety or welfare and is not  
4 required to provide a finding of emergency for a rule promulgated under this  
5 paragraph.

6 **SECTION 6. Appropriation changes.**

7 (1) PERSONAL CARE SHORTAGE AREAS. In the schedule under section 20.005 (3) of  
8 the statutes for the appropriation to the department of health and family services  
9 under section 20.435 (4) (b) of the statutes, as affected by the acts of 1999, the dollar  
10 amount is increased by \$–0– for fiscal year 1999–00 and the dollar amount is  
11 increased by \$–0– for fiscal year 2000–01 to provide increased medical assistance  
12 reimbursement for the provision of personal care services in personal care shortage  
13 areas.

14 (2) SUPPLEMENT; IN-HOME PERSONAL CARE WORKERS. In the schedule under section  
15 20.005 (3) of the statutes for the appropriation to the department of health and family  
16 services under section 20.435 (4) (b) of the statutes, as affected by the acts of 1999,  
17 the dollar amount is increased by \$9,600,000 for fiscal year 2000–01 to supplement,  
18 beginning July 1, 2000, the hourly medical assistance reimbursement rates for  
19 workers providing in-home personal care services by \$3.25.

20 **SECTION 7. Effective date.**

21 (1) This act takes effect on July 1, 2000.

22 (END)